

MEETING MINUTES

MILPITAS PLANNING COMMISSION
Milpitas City Hall, Council Chambers
455 E. Calaveras Blvd., Milpitas, CA

Wednesday, February 22, 2017

I. PLEDGE OF ALLEGIANCE

Chair Mandal called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

II. ROLL CALL/ SEATING OF ALTERNATE

Present: Chair Mandal, Vice Chair Madnawat, Commissioners Sandhu, Ciardella, Morris, Maglalang, Mohsin, Chua

Absent: All commissioners were present

Staff: Bradley Misner, Katy Wisinski, Krishna Kumar

III. PUBLIC FORUM

Chair Mandal invited members of the audience to address the Commission and there were no speakers.

IV. APPROVAL OF MEETING MINUTES

Chair Mandal called for approval of the February 8, 2017 meeting minutes of the Planning Commission.

Motion to approve Planning Commission meeting minutes.

Motion/Second: Commissioner Sandhu/Commissioner Mohsin

AYES: 7

NOES: 0

ABSTAIN: 0

V. ANNOUNCEMENTS

Planning Director Bradley Misner said he is aware the commissioners have been wondering about the stipend change and staff is scheduled to make the municipal code change at a City Council meeting in March.

VI. CONFLICT OF INTEREST

Deputy City Attorney Katy Wisinski asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.

VII. APPROVAL OF AGENDA

Chair Mandal asked if staff or Commissioners had changes to the agenda and there were none.

Motion to approve the February 22, 2017 agenda as submitted.

Motion/Second: Commissioner Maglalang/Commissioner Morris

AYES: 7

**VIII. CONSENT
CALENDAR
NO ITEMS**

IX. PUBLIC HEARING

IX-1 UNIVERSITY OF SILICON ANDHRA – 1521 California Circle – P-UP16-0019: A request for a Conditional Use Permit to allow a determination of the Planning Commission to consider “auditorium” as well as “vocational school” as an “other use” as described in City Code Section XI-10-54.02 to allow the operation of an online university in an existing building at 1521 California Circle.

Project Planner Krishna Kumar showed a presentation describing the project. Ms. Kumar said staff would like to add a condition that events be limited to one event per month or 12 events per year. She said the applicant disagrees and would like the option to hold two-three events per month, with approximately 200 attendees, although some events may have just 25-30 people.

Commissioner Morris asked what percentage of time the school would be in operation and Ms. Kumar said that students will be onsite during the first week of classes, and onsite for recitals or events, otherwise most learning is online.

Commissioner Maglalang had questions regarding occupant load and the exhibit space and parking requirements. Mr. Misner said there are a series of numbers and figures in the plans, some are building code nomenclature, and there will be a difference between occupancy load and parking requirements. Mr. Misner said the parking calculation is predicated on the use of the space and there is a certain level of assumption that some people will come in cars together.

Applicant Raju Chamarthi said the University is a non-profit, following all accreditation rules and regulations, and will offer a degree in Indian fine arts. He has issue with the added condition for one event per month and would like to discuss it.

Commissioner Mohsin asked what types of classes will be offered and how they will be run. Mr. Chamarthi said they will offer music and dance classes, and a Master’s degree, diploma, or certificate demonstrating proficiency in Indian arts. He said students will be on site for the first week of class, giving them an opportunity to meet the faculty and get more information on the program. Staff will begin work at 8:00 and online classes will be held in different time zones so they can be convenient for all.

Commissioner Mohsin asked about the University’s need for more than one event per month. Mr. Chamarthi said the space on the first floor will allow for students to showcase their talents and the limitation will be challenging. There will be some events will have less than 20 attendees but there will be times when they wish to hold larger events, which he said will be held mostly on the weekends with a maximum of 200 attendees. Mr. Chamarthi said there will also be weekend events that will take place on both Saturday and Sunday and he asked that the commission not place a limit on the number of events.

Vice Chair Madnawat asked how many people are expected on the premises on an ongoing basis, other than faculty and staff, and Mr. Chamarthi said a typical weekend will have less than 100 people for student performances.

Vice Chair Madnawat is cognizant of traffic and residents and does not want increased traffic every week. He would like to find a solution that will work for the applicant and the community, and is comfortable with two-three events per month with a smaller number of attendees.

Chair Mandal said he will consider more than one event per month but believes there should be a limit to the number of attendees.

Chair Mandal opened the public hearing.

The Chief Educator at the University said this is the first university to offer degrees for these art forms and spoke in support of the project.

Two Milpitas residents spoke in support of the project.

Motion to close the public hearing.

Motion/Second: Commissioner Sandhu/Commissioner Morris

AYES: 7

NOES: 0

Vice Chair Madnawat proposed that an attendee be considered as an invited guest or someone who is not affiliated with the University (i.e. student and faculty) and not be counted in the number of attendees for an event.

Vice Chair Madnawat proposed that the following be permitted: one large event per month, with up to 200 people, which can last two consecutive days as long as the days share the same agenda, and up to three small events per month, with up to 50 attendees, not including students and faculty. He proposed that any event expecting over 200 people should require a special event permit.

There was discussion regarding building occupancy limits and parking availability and the maximum number of guests allowed.

Ms. Wisinski noted that large events with 200 guests, and a large number of students as well, would exceed the limit if the commission does not intend to include, within the definition of attendees, any students or staff who may be in attendance at the event.

Vice Chair Madnawat increased the total number of attendees to 250 for large events and 65 for small events to allow for faculty and staff who may be in attendance at the events.

Mr. Misner said it is helpful to specify capacities, and that at the capacities noted there should be a reasonable amount of parking available, and he confirmed with the Vice Chair that events taking place over two executive days would be held only during approved business hours.

Ms. Wisinski said staff needs a way to distinguish a events from the regular

instructional services offered at the school and Vice Chair Madnawat agreed to defining an event as an onsite gathering not associated with the provision of regular instructional services, including but not limited to dances, recitals, showcases etc.

Motion to Adopt Resolution No. 17-006 determining that the use proposed herein is an “other use” similar to those permitted or conditionally permitted in the Industrial Park Zoning District and approving Conditional Use Permit No. UP16-0019, subject to the attached Conditions of Approval, and amended conditions to allow a maximum of 250 people at a large event one time per month and three small events per month with up to 65 people, including a new definition of event as discussed.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

X. NEW BUSINESS

NO ITEMS

XI. ADJOURNMENT The meeting was adjourned at 8:20 PM.

Motion to adjourn to the next meeting.

Motion/Second: Vice Chair Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

*Meeting Minutes submitted by
Planning Secretary Elia Escobar*